MEETING OF THE BOARD OF CITY COMMISSIONERS

MAY 23, 2017

The Board of City Commissioners met in regular session on May 23, 2017 at the hour of 5:15 p.m. in the Tom Baker Meeting Room, City/County Office Building, 221 North Fifth Street, Bismarck, North Dakota. There were present: Commissioners Marquardt, Guy, Oban, and President Seminary. Commissioner Askvig was absent.

1. The Board of City Commissioners considered approval of the minutes of the meeting on May 9, 2017.

Commissioner Marquardt made a motion to approve the minutes. Commissioner Oban seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Marquardt, Guy, Oban, and President Seminary. Nayes: None, the motion carried. Commissioner Askvig was absent and not voting.

2. CONSENT AGENDA

- A. The Board of City Commissioners reviewed the personnel actions.
- B. The Board of City Commissioners considered the request for approval from the Administration Department for the following:
 - Reappointing Mary Robinson and appointing Commissioner Shawn Oban and Emma Forderhase to the Bismarck-Mandan Mayor's Committee for People with Disabilities.
 - Lease agreement between City of Bismarck and Mon-Dak Tabac (dba Tobacco Row) for the lease of space in the Bowen Avenue Commercial Center located at 404 E Bowen Avenue.
 - Renewal of Gaming Site Authorizations from July 1, 2017 to June 30, 2018 as follows:
 - o Ramada of Bismarck | 1400 E Interchange Avenue
 - Expressway Suites | 180 E Bismarck Expressway
 - o Radisson | 605 E Broadway Avenue
 - o AMVETS Post 9 | 2402 Railroad Avenue
- C. The Board of City Commissioners considered the request for approval from the Airport of Amendment 1 to the April 26, 2016 Agreement with Ubl Design Group for the Security Checkpoint Reconfiguration.

On April 26, 2016, the Board approved an Architectural Services Agreement to design and bid the reconfiguration of the checkpoint glass wall, redesign of the checkpoint equipment, and addition of necessary electrical connections for the reconfigured checkpoint equipment and a floor addition for queuing and exit egress. The checkpoint glass wall and addition of the third X-Ray lane was completed as Phase 1. The Phase 2 work for the floor addition for queuing and exit egress was awarded by

the Board on April 11, 2017 and is ongoing. Phase 2 was started later than initially planned necessitating an extension to Ubl's agreement. Amendment 1 is a no cost extension of time to allow construction inspection of the Phase 2 work and project closeout activities. Airport staff recommends approval of Amendment 1 to the April 26, 2016 Agreement with Ubl Design Group.

D. The Board of City Commissioners considered the request for approval from the Bismarck-Burleigh Public Health Department for permission to accept donations for the Women's Way Program from the KXMB Annual Women's Way Golf Classic.

Proceeds from this event will assist local Women's Way clients with medical expenses related to breast and cervical cancer screenings and treatment such as biopsies and cancer treatments. Funds will not be used for program operations/expenses. Staff recommends approval to accept donations from KXMB Annual Women's Way Golf Classic.

- E. The Board of City Commissioners considered the request for approval from the City Attorney for the following items:
 - Introduction of and call for a public hearing on Ordinance 6257 which would allow the municipal judge to impose a victim fee in certain cases.

ORDINANCE NO. 6257

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 2-05-02 OF THE BISMARCK CODE OF ORDINANCES (REV.) RELATING TO DUTIES AND POWERS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

- Section 1. Amendment. Section 2-05-02 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to Duties and Powers (Municipal Judge) is hereby amended and re-enacted to read as follows:
- **2-05-02. Duties and Powers.** The judge has the power to perform all duties prescribed by state law, specifically Chapter 40-18, NDCC, and the ordinances of the city. The judge has the authority to impose any fee, fine, court cost, impact fee or other charge authorized by state law, by a fee schedule approved by the City Commission or imposed by ordinances of the city. The judge may impose a fee of twenty-five dollars (\$25) as part of a sentence imposed on a defendant who pleads guilty to or is convicted of violating a city ordinance for which the maximum penalty that may be imposed under the ordinance for the violation includes imprisonment.
- Section 2. <u>Severability</u>. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any

court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. <u>Effective Date</u>. This ordinance shall take effect following final passage, adoption and publication.

Introduction of and call for a public hearing on Ordinance 6258 which
would create a new class of liquor license to allow commercial airlines to
serve alcoholic beverages to their passengers while on the ground in
Bismarck.

ORDINANCE NO. 6258

AN ORDINANCE TO AMEND AND RE-ENACT SECTIONS 5-01-04 and 5-01-29 OF THE BISMARCK CODE OF ORDINANCES (REV.) RELATING TO CLASSES OF RETAIL LICENSES AND FEES.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 5-01-04 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to Classes of Retail Licenses is hereby amended and re-enacted to read as follows:

5-01-04. Classes of Retail Licenses.

- 1. The board hereby finds that in order to ensure compliance by all licensees with all applicable federal, state and city laws, ordinances and regulations, and in order to adequately police all licensed establishments and to promote the public welfare, it is necessary and proper to limit the number of licenses issued pursuant to the city's police powers and authority granted by Title 5 of the N.D.C.C.
- 2. Licenses for the retail sale of liquor or the retail sale of beer are divided into the following classes for the purpose of determining the number of licenses to be issued and outstanding:

* * * * *

- j. **Class R.** To a commercial airline operating out of the Bismarck Municipal Airport for service of alcoholic beverages in aircraft owned or operated by the licensee while on property owned by the City of Bismarck, subject to the following:
 - (1) The license is for on-sale only, and no off-sale permitted.

- (2) Alcoholic beverages may be sold or served only to passengers of the airline in the aircraft while located at the Bismarck Municipal Airport.
- (3) A Class R licensee may not be issued a special permit under Section 5-01-13.
- (4) Passengers may not be permitted to remove alcoholic beverages from the aircraft.
- (5) The licensee is subject to all laws and ordinances otherwise applicable to persons holding a liquor license under the provisions of this Title.

(Ord. 4116, Sec. 1, 12-2-86; Ord. 4120, Sec. 1, 12-16-86; Ord. 4124, Sec. 1, 1-13-87; Ord. 4148, 5-12-87; Ord. 4179, 9-29-87; Ord. 4193, 2-2-88; Ord. 4211, 7-19-88; Ord. 4253, 4-25-89; Ord. 4380, 6-18-91; Ord. 4430, 3-31-92; Ord. 4596, 04-12-94; Ord. 4618, 6-21-94; Ord. 4657, 12-20-94; Ord. 4705, 07-11-95; Ord. 4725, 09-26-95; Ord. 4938, 08-25-98; Ord. 5141, 11-13-01; Ord. 5152, 01-08-02; Ord. 5454, 08-23-05; Ord. 5513, 06-13-06; Ord. 5600, 05-08-07; Ord. 5821, 05-24-11; Ord. 5839, 07-12-11; Ord. 5848, 10-11-11; Ord. 5860, 02-28-12; Ord. 5985, 07-09-13; Ord. 5991, 08-27-13; Ord. 5998, 08-27-13; Ord. 6005, 09-24-13; Ord. 6025, 01-14-14; Ord. 6053, 05-27-14; Ord. 6096, 12-23-14; Ord. 6097, 1-13-15; Ord. 6189, 2-9-16; Ord. 6242, 1-10-17; Ord. 6252, 4-25-17)

Section 2. Amendment. Section 5-01-29 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to Fees is hereby amended and re-enacted to read as follows:

5-01-29. <u>Fees</u>. Annual fees for licenses issued pursuant to this chapter are as follows:

Class A Class A-2 Class B Class C Class C-2 Class D Class E Class F-1 Class F-2 Class F-3 Class G Class H Class I-1 Class I-2 Class I-3 Class J	\$3,528.00 \$403.00 \$630.00 \$3,654.00 \$945.00 \$3,906.00 \$756.00 \$1,449.00 \$819.00 \$693.00 \$680.00 \$3,276.00 \$1,386.00 \$756.00 \$63.00
Class I-3	\$756.00
Class K Class L	\$630.00 \$334.00

Class M	\$630.00
Class N	\$756.00
Class O	\$756.00
Class P	\$630.00
Class Q	\$3,600.00
<u>Class R</u>	<u>\$50.00</u>

Reference: N.D.C.C. 5-02-03 (1985 Supp.)

(Ord. 4124, 1-13-87; Ord. 4147, 4-28-87; Ord. 4179, 9-29-87); Ord. No. 4216, 7-19-88; Ord. 4389, 7-30-91; Ord. 4621, 07-05-94; Ord. 4656, 12-20-94; Ord. 4709, 07-25-95; Ord. 4731, 09-26-95; Ord. 4939, 08-25-98; Ord. 5454, 08-23-05; Ord. 5826, 06-14-11; Ord. 5999, 08-27-13; Ord. 6005, 09-24-13; Ord. 6025, 01-14-14; Ord. 6026, 01-28-14; Ord. 6097, 01-13-15; Ord. 6252, 04-25-17)

Section 3. <u>Severability</u>. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. <u>Effective Date</u>. This ordinance shall take effect following final passage, adoption and publication.

F. The Board of City Commissioners considered the request for approval from the Community Development Department and Schilling Properties, LLC for the release of the utility easement over the north 10 feet of the west 334.32 feet of Lot 1, Block 1, Schilling 1st Subdivision.

The easement was created with the plat for Schillings First Subdivision in 1996. The applicant has obtained letters from Montana-Dakota Utilities, Capital Electric Cooperative, Century Link, and MidContinent Communications consenting to the vacation of the easement. City Engineering approves the easement release.

Based on the findings contained in the staff report, staff recommends approval of the resolution to release a 10-foot utility easement described as part of Lot 1, Block 1, Schilling First Subdivision, as more particularly described in the resolution below.

RESOLUTION

RELEASE OF UTILITY EASEMENT IN SCHILLING FIRST SUBDIVISION

WHEREAS, the owner of property described as Lot 1, Block 1, Schilling First Subdivision, adjoining and contiguous to a platted utility easement, have heretofore joined in petition requesting that said utility easement be released, verified by oath of at least one petitioner and accompanied by a plat of said utility easement to be released, having set forth the facts and reason for said release; and

WHEREAS, said platted utility easement was shown on the plat of Schilling First Subdivision, which was recorded on August 13, 1996.

WHEREAS, the City Engineer has determined that the utility easement proposed for release is no longer necessary to provide municipal services to the area, and

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners of the City of Bismarck, North Dakota, that the petition to release the utility easement described as:

The North 10 feet of the West 334.32 feet of Lot 1, Block 1, Schilling First Subdivision

is in all things allowed and granted.

BE IT FURTHER RESOLVED that the City Administrator be and is hereby authorized to file this resolution for record in the office of the County Recorder, Burleigh County, North Dakota

Adopted this 23rd day of May, 2017.

G. The Board of City Commissioners considered the request from the Public Works Service Operations Department on the introduction of Ordinance 6256 which would modify the existing collection regulations language and calling for a public hearing to be held June 13, 2017.

Current City of Bismarck ordinance allows for citizens to place their solid waste at the collection point by 8:00 a.m. on the day of collection. With the new four-day collection routes going into effect, the purpose of the proposed change in ordinance would be to have the citizens place their solid waste at the collection point at 6:00 a.m. the day of collection.

ORDINANCE NO. 6256

AN ORDINANCE TO AMEND AND RE-ENACT SECTION 8-07-04 OF THE BISMARCK CODE OF ORDINANCES (REV.) RELATING TO COLLECTION REGULATIONS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF BISMARCK, NORTH DAKOTA:

Section 1. Amendment. Section 8-07-04 of the City of Bismarck Code of Ordinances (1986 Rev.) relating to Collection Regulations is hereby amended and reenacted to read as follows:

8-07-04. Collection Regulations.

* * * * *

5. Any approved waste container together with solid waste must be within 15 feet of an alley accessible to the property. Where no alleys are available, all waste containers must be as accessible as possible and within three (3) feet of the curb. The Director of Public Works may allow a greater distance as conditions require. Special arrangements for other collection points may be made by the Director of Public Works for those citizens who are unable to move their waste container or solid waste to the required collection point. Waste containers should be placed out for collection by 86:00 a.m. the day of collection but not before the evening before the day of collection.

* * * * *

(Ord. 4180, 10-13-87; Ord. 4362, 4-09-91; Ord. 4490, 04-13-93; Ord. 4514, 05-25-93; Ord. 5086, 12-19-00; Ord. 5714, 04-28-09; Ord. 6217, 07-12-16)

Section 2. <u>Severability</u>. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 3. <u>Effective Date</u>. This ordinance shall take effect following final passage, adoption and publication.

Commissioner Marquardt asked to pull the second bullet under Consent Agenda Item 2B and made a motion to approve the remaining items on the consent agenda. Commissioner Oban seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Marquardt, Guy, Oban, and President Seminary. Nayes: None, the motion carried. Commissioner Askvig was absent and not voting.

Item #2B2 - Approval of the lease agreement between the City of Bismarck and Mon-Dak Tabac (dba Tobacco Row) for the lease of space in the Bowen Avenue Commercial Center located at 404 E Bowen Avenue.

The terms and conditions of the lease would be for a three-year lease beginning with February 1, 2017 and ending January 31, 2020. Tobacco Row has been operating on a month-to-month lease as the terms of the lease agreement were defined. Staff recommends approving the lease agreement with Mon-Dak Tabac (dba Tobacco Row), as outlined in the materials for this agenda item in the packet.

Commissioner Marquardt asked why the City isn't considering a month-to-month instead of a three-year lease for this tenant with the possibility of FiveSouth going in at this location. Charlie Whitman, City Attorney, said their original lease from February 2012 contained a provision that allowed them to extend for three years unilaterally. He said the tenant did notify the City within the appropriate time period that they want to exercise their three-year option and we simply haven't done it until now. He said the City is standing by the terms of the lease.

Commissioner Marquardt asked if it was month-to-month prior to the renewal. He said he thought he read that somewhere. Mr. Whitman said no, it's never been month-to-month in a legal sense because they did notify us within the appropriate time frame. Commissioner Marquardt said if FiveSouth goes in, then we might possibly have to buy out the rest of their lease. Mr. Whitman said depending if and when, that is possible. Commissioner Marquardt asked what happens if we don't renew the lease. Mr. Whitman said if we don't renew it, he suspects we would be in breach of the current lease and the tenant would take appropriate action.

Commissioner Marquardt made a motion to approve the request. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Guy, Oban, and President Seminary. Nayes: Commissioner Marquardt, the motion carried. Commissioner Askvig was absent and not voting.

The Board then received a presentation about the USNS City of Bismarck (T-EPF 9) from President Seminary, Commissioner Guy and Bob Wefald. A copy of the presentation given will be included at the end of the minutes once approved.

REGULAR AGENDA

3. Public comment (restricted to items on the Regular Agenda, excluding public hearing items).

No members of the public appeared to provide any public comment.

4. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING on a request for a new Class F-1 retail liquor license for A & B Pizza South Inc. (dba A & B Pizza South) to be located at 311 S 7th Street.

No one appeared to provide any comment at this public hearing.

Commissioner Marquardt made a motion to approve the new liquor license request. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Marquardt, Guy, Oban, and President Seminary. Nayes: None, the motion carried. Commissioner Askvig was absent and not voting.

5. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING on a request for a new Class I-3 beer license for It's All Good, Inc. (dba Panchero's Mexican Restaurant) to be located at 1485 E LaSalle Drive.

No one appeared to provide any comment at this public hearing.

Commissioner Marquardt made a motion to approve the new liquor license request. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as

follows: Ayes: Commissioners Marquardt, Guy, Oban, and President Seminary. Nayes: None, the motion carried. Commissioner Askvig was absent and not voting.

6. The President of the Board of City Commissioners announced the hour had arrived for the PUBLIC HEARING on Ordinance 6255, a request for a zoning change from the A-Agriculture zoning district to the RR-Residential zoning district for Last Chance Subdivision and approval of the final plat, requested by Pete and Elaine Brendel. The Bismarck Planning and Zoning Commission recommends approval.

Kim Lee, Planning Manager, appeared before the Board. The property is located north of Bismarck, between 71st Avenue NE and 57th Avenue NE, along the west side of 26th Street NE. The proposal includes 20 lots on a little over 40 acres and would be developed for rural residential lots, as identified under the Future Land Use Plan, and is compatible to adjacent land uses. The Hay Creek Township Board of Supervisors also recommended approval of the zoning change and final plat.

The Planning and Zoning Commission held public hearings on the zoning change and final plat on April 26, 2017. At the conclusion of the public hearing, and based on the findings contained in the staff report, the Planning and Zoning Commission unanimously recommended approval of the zoning change from the A-Agricultural zoning district to the RR-Residential zoning district and the final plat for Last Chance Subdivision.

Commissioner Marquardt asked how close are water and sewer to this development. Ms. Lee said it's about a half-mile away. President Seminary asked if anyone had any protests or concerns at that meeting. Ms. Lee said one member of the public spoke at the public hearing and voiced concerns that the trees along the south property line of her property, which are located in the proposed plat, along the north property line, would be removed. The applicant's consulting engineer stated that the trees would not be removed in conjunction with the development of the subdivision.

No one appeared to provide any comment at this public hearing.

Commissioner Marquardt made a motion to adopt Ordinance 6255 and approve the final plat for Last Chance Subdivision. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Marquardt, Guy, Oban, and President Seminary. Nayes: None, the motion carried. Commissioner Askvig was absent and not voting.

7. The Board of City Commissioners considered the request for approval from the Community Development Department on the final plat of Freedom Ranch Subdivision, requested by Sharon Spaedy and Great Plains Land.

Kim Lee, Planning Manager, appeared before the Board. She said this property is located northwest of Bismarck in the extraterritorial area, west of River Road, south of Sandy River Drive and approximately 650 feet south of the termination of Fernwood Drive. The proposal is for one lot on 13.21 acres and would allow the development of

one additional single-family dwelling. This area is identified as rural residential in the Future Land Use Plan and is consistent with other land uses in the area. The Hay Creek Township Board of Township Supervisors recommends approval.

The Planning and Zoning Commission held a public hearing on this request on February 22, 2017, a continued public hearing on March 22, 2017, and a continued public hearing on April 26, 2017. Several residents and Mike Voigt, Fire Chief of the Bismarck Rural Fire Department, spoke at the public hearings. Issues raised and discussed included the use of a private access road, the quality of that private access road, and potential impacts to others already using that private access road.

At the conclusion of the public hearing, and based on the findings contained in the staff report, the Planning and Zoning Commission recommended approval of the final plat for Freedom Ranch Subdivision on an 8-1 vote.

Commissioner Marquardt made a motion to approve the final plat. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Marquardt, Guy, Oban, and President Seminary. Nayes: None, the motion carried. Commissioner Askvig was absent and not voting.

8. The Board of City Commissioners considered the request from the Community Development Department regarding the request of Michael Baumgartner to appeal the decision of the Bismarck Planning and Zoning Commission to deny a minor subdivision final plat for Hamilton's First Addition First Replat and a zoning change from the Conditional RM15-Residential zoning district to the RM15-Residential zoning district for said subdivision and the remainder of Lot 1, Block 1, Hamilton's First Addition.

Based on new information provided by Daniel Nairn, Planner, and a letter from the adjacent homeowners' association supporting the request, Commissioner Marquardt made a motion to grant the appeal and reverse the decision of the Planning and Zoning Commission, to call for a public hearing on the zoning change request and to consider approval of the minor subdivision final plat. Commissioner Guy seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Marquardt, Guy, Oban, and President Seminary. Nayes: None, the motion carried. Commissioner Askvig was absent and not voting.

9. The Board of City Commissioners considered the request for approval from the Community Development Department regarding the request of Mike Joyce for assistance from the CORE Technical Assistance Bank Program to assist with the design of the rehabilitation of the building at 208 East Main Avenue.

Daniel Nairn, Planner, appeared before the Board. The applicant is requesting funding from the CORE Technical Assistance Bank to obtain professional design services for renovations to the façade of 208 E Main Avenue. The program provides a 75% match for architectural services up to a maximum of \$2,475 or 30 hours of work. The work must be performed after approval to be eligible for reimbursement.

The Renaissance Zone Authority held a public hearing on this request on May 11, 2017. No members of the public spoke at the hearing. Based on the findings contained in the staff report, the Renaissance Zone Authority recommends approval of the request for funding from the CORE Technical Assistance Bank Program to assist with design of the rehabilitation of 208 E Main Avenue, up to a maximum of \$2,475.

Commissioner Guy made a motion to approve the request. Commissioner Oban seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Guy and Oban. Nayes: Commissioners Marquardt and President Seminary, the motion failed for lack of a majority vote. Commissioner Askvig was absent and not voting.

10. The Board of City Commissioners considered the request for approval from Administration Department for permission to participate in a broadcast program, City Current, with Dakota Media Access.

Jason Tomanek, Assistant City Administrator, appeared before the Board. Dakota Media Access is looking to produce a television and radio program titled City Current. The program would serve as a follow-up discussion after each City Commission meeting. The feature would be a 30-minute program to provide additional depth on City-related issues, programs, projects and City department activities. Mary Van Sickle, Executive Director of Dakota Media Access, would host the program. Guests would include a senior City staff member, department directors as subject matter experts, when appropriate, and elected officials on occasion.

The program would be recorded each Wednesday following a City Commission meeting and broadcast on the various platforms of Dakota Media Access, including cable channel 2 and 602HD, KDAK 102.5 FM, kdakfm.org and freetv.org. Dakota Media Access has extended this invitation to the City of Mandan as well.

Commissioner Guy made a motion to approve the request. Commissioner Oban seconded the motion. Upon roll call, the commissioners voted as follows: Ayes: Commissioners Marquardt, Guy, Oban, and President Seminary. Nayes: None, the motion carried. Commissioner Askvig was absent and not voting.

11. The Board of City Commissioners considered other business.

Commissioner Guy gave a brief update on some recent events, as well as an upcoming event, at the Bismarck Veterans Memorial Public Library in celebration of its 100th birthday.

Having completed the items on the agenda, President Seminary asked if there was any further business for this meeting. There being none, the meeting was declared adjourned at 6:03 p.m.



Bismarck USNS City of Bismarck EPF 9



BLAZON

SHIELD: Or, a fess wavy per fess wavy Sable and Celeste, surmounted by a barrelet Gris, in base a mullet Vert; on a chief wavy of the last issuant from a barrelet wavy a demi-wheel all Or.

CREST: On a wreath Or and Sable, a sinister winged gauntlet Argent (Silver Gray) grasping a lightning flash bendwise of the first between by nine mullets, four and five, Celeste.

MOTTO: On a scroll Vert, doubled Or, and between two mullets of the last the inscription: "POSSUMUS EFFICIEMUS" of the second.

SUPPORTERS: Behind the shield, a United States Army Officer's sword and a Marine Corps Officer's Mameluke sword in saltire, points downward Proper.

SYMBOLISM

SHIELD: The shield shape is taken from the North Dakota coat of arms and alludes to the rich Native American heritage of the capital city, Bismarck. Arrowheads also signify military preparedness for any naval wartime operation. The colors green and gold are indicative of the great agricultural State of North Dakota and have particular reference to ripening grain and the abundant grazing areas. A single star denotes Bismarck as the capital city. The three wavy barulets represent the stack colors of the Military Sealift Command. The demi-wheel represents the steamboat, FAR WEST, which traveled downriver to Bismarck in its historic 710-mile run in a record time of 54 hours with surriving cavalrymen and news of Custer's defeat at the Battle of Little Bighorn in 1876.

CREST: The winged gauntlet represents the crew's determination and the high speed potential of the USNN City of Bitmarck. The lightning flash depicts communications capabilities and advanced technologies. The nine stars are colored Military Sealist Command blue and signify USNN City of Bitmarck as the ninth vessel in the Spearhead class.

SUPPORTERS: The saber and Mameluke sword symbolize cooperation and teamwork and the T-EPF's capability to transport both U.S. Army and U.S. Marine Corps personnel and their military vehicles.

MOTTO: The motto, "POSSUMUS EFFICIEMUS," translates to "WE ARE ABLE, WE SHALL MAKE IT HAPPEN,"

SEAL: The coat of arms as blazoned in full color on an oval field within a dark blue designation band, edged with a gold rope and bearing the name "USNS CITY OF BISMARCK" at the top and "T-EPF 9" at the base.



USNS CITY OF BISMARCK EPF 9

Christening Program

ORDER OF EVENTS

NATIONAL ANTHEM NAVY BAND SOUTHEAST

WELCOME

MR. CRAIG PERCIAVALLE President, Austal USA

REMARKS

MR. WILLIAM PATTERSON Vice President, Surface Ship Systems General Dynamics Mission Systems

REAR ADMIRAL DEE L. MEWBOURNE, USN Commander, Military Sealift Command

MR. THOMAS P. DEE Performing the Duties of The Under Secretary of the Navy

THE HONORABLE MIKE SEMINARY Mayor of Bismarck, North Dakota

VICE ADMIRAL TERRY J. BENEDICT, USN Director, Strategic Systems Programs

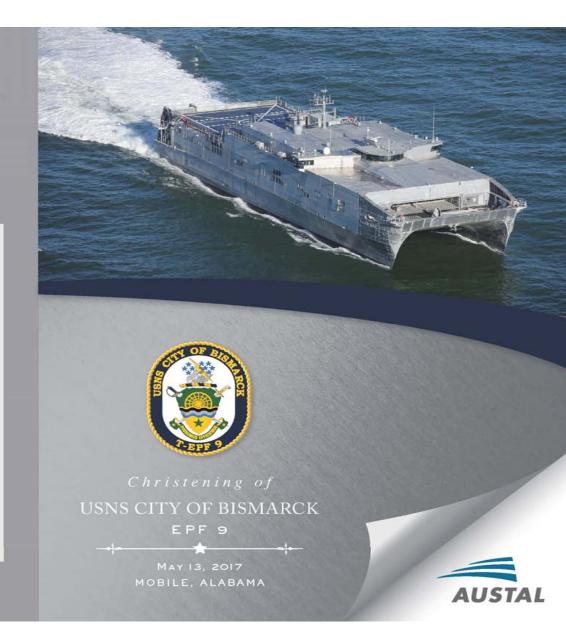
PRINCIPAL ADDRESS
GENERAL DARREN W. McDEW, USAF
Commander, U.S. Transportation Command

SPONSOR'S ADDRESS
THE HONORABLE JANE HARMAN

INVOCATION

LIEUTENANT COMMANDER AARON MILLER, CHC, USN Chaplain, Naval Construction Battalion Center Gulfport

CHRISTENING
THE HONORABLE JANE HARMAN



Christening CITY OF BISMARCK [EPF 9]

May 13, 2017









Ceremonial Mast Stepping – Commissioner Nancy Guy



When a mast is about to be stepped – the process of raising a boat's mast and setting it into a notch or step in the keel – all those on board the ship have the opportunity to contribute good luck coins or other memorabilia to be placed under it.

Mast Box filled with mementos





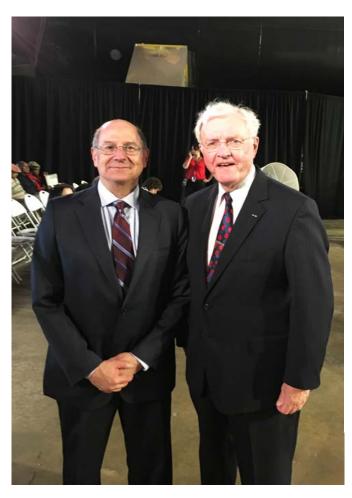
City of Bismarck Ship Stern



Ceremonial Cake Cutting
Captain James M. Regan and The Honorable Jane Harman, Sponsor



The Honorable Donald Winter - 74th Secretary of the Navy and The Honorable Robert O. Wefald - Chairman USNS *City of Bismarck* Committee



USNS City of Bismarck EPF 9

The EPF is a shallow draft, all aluminum, commercial-based catamaran capable of intra-theater personnel and cargo lift providing combatant commanders high-speed sealift mobility with inherent cargo handling capability and agility to achieve positional advantage over operational distances.

EPF is designed to transport 600 short tons of military cargo 1,200 nautical miles at an average speed of 35 knots. The ship is capable of operating in shallow-draft ports and waterways, interfacing with roll-on/roll-off discharge facilities, and on/off-loading a combat-loaded Abrams Main Battle Tank (M1A2).

The EPF will include a flight deck for helicopter operations and an off-load ramp that will allow vehicles to quickly drive off the ship. EPF's shallow draft (under 15 feet) will further enhance littoral operations and port access. This makes the EPF an extremely flexible asset for support of a wide range of operations including maneuver and sustainment, relief operations in small or damaged ports, flexible logistics support, or as the key enabler for rapid transport.